

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION

LAFRECIA TERENCE BATTIS

PLAINTIFF

V.

CIVIL ACTION NO 1:03CV 209-JAD

DR. LUIS PERIA

DEFENDANT

ORDER

On consideration of the file and records in this action, the Court finds that the Report and Recommendation of the United States Magistrate Judge dated January 30, 2006, was on that date duly served by first class mail upon attorneys of record for the plaintiffs and defendant; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by said parties. The Court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated January 30, 2006, be, and it is hereby, approved and adopted, and that the proposed findings of fact and conclusions of law therein set out be, and they are hereby, adopted as the findings of fact and conclusions of law of the Court.

2. That this action be and hereby is dismissed without prejudice for failure to prosecute.

THIS the 30th day of January, 2006.

/s/ Glen H. Davidson
CHIEF JUDGE